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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.4865 OF 2006

Shri Sunil Chandrakant Salunke...Petitioner
Vs.
The State of Maharashtra & Anr..Respondents

Ms. Preetam Tendulkar i/b. Mr. M.S. Karnik for the petitioner.
Mrs. M.P. Thakur, for the respondent Nos. 1 and 2.

CORAM : F.I. REBELLO &
S.J.VAZIFDAR, JJ.
DATED : 2ND MARCH, 2007.

P.C.

. Rule. Heard forthwith. The petitioner approached this Court to challenge the order dated 30th May, 2006. By that order the License for Stamp vending standing in favour of the petitioner has been cancelled. The Respondents were granted time to file reply. Till date no reply has been filed. One of the contentions urged on behalf of the petitioners is that no opportunity was given before the order dated 30th May, 2006 came to be passed. In the light of that it is submitted that as civil consequence follows the respondents were duty bound to give an opportunity to the petitioners.

2. Considering the above, the impugned order dated 30th May, 2006 is set aside. The matter is remanded back to the Stamp Officer and District Collector of Nashik to give an opportunity to the petitioner to show cause against the proposed cancellation and thereafter pass appropriate orders according to law. Show cause notice to be issued within one

month from the date of copy of this order being served on Respondent No.2. The entire exercise to be completed within three months thereafter. Rule made absolute accordingly.

No order as to costs.

(**F.I.REBELLO**, J)

(**S.J.VAZIFDAR, J)**